

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DANIEL N. ARBEENY, as the Administrator of the Estate of NORMAN ARBEENY, individually and on behalf of others, and SEAN S. NEWMAN, as the Administrator of the Estates of Michael J. Newman and Dolores D. Newman, and individually and on behalf of others,

22 Civ. 2336 (LDH) (LB)
23 Civ. 02391 (LDH) (ARL)
(Consolidated)

Plaintiffs,

-against-

NOTICE OF MOTION

ANDREW M. CUOMO, MELISSA DeROSA, HOWARD A. ZUCKER, M.D., GREATER NEW YORK HOSPITAL ASSOCIATION, KENNETH RASKE, NORTHWELL HEALTH, INC., MICHAEL DOWLING, and JOHN DOES A-Z,

Defendants.

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PLEASE TAKE NOTICE that, upon the accompanying memorandum of law, and all papers and proceedings had herein, Defendants Northwell Health, Inc. and Michael Dowling (collectively, “the Northwell Defendants”) will move this Court, before the Honorable LaShann DeArcy Hall, at the United States Courthouse, located at 225 Cadman Plaza East, Brooklyn, New York 11201, on a date and at a time to be designated by the Court, for an order, pursuant to Fed. R. Civ. P. 12(b)(6), dismissing the second amended complaint of Plaintiffs Daniel N. Arbeeney, as the Administrator of the Estate of Norman Arbeeney, individually and on behalf of others, and Sean S. Newman, as the Administrator of the Estates of Michael J. Newman and Dolores D. Newman, individually and on behalf of others (collectively, “Plaintiffs”) for failure to state a claim upon which relief can be granted.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court’s order dated October 25, 2023, Plaintiffs’ opposition papers must be served by December 15, 2023, and the Northwell

Defendants reply papers served by January 5, 2023. At the Court's request, all parties should file their respective papers with the Court on January 5, 2023.

Dated: White Plains, New York
November 17, 2023

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Daniel S. Alter", is positioned above a horizontal line.

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Attorneys for the Northwell Defendants

To: Counsel for all Parties
by ECF and E-mail